

REMARKS

STATUS OF CLAIMS

The present application contains Claims 1-28.

As to allowable claims, Claims 8-13, 15, 16 and 19-24 are allowed, and Claims 4, 5, 7, 11, 12, 17 and 18 are indicated as being allowable if rewritten in independent form. It is noted that Claims 11 and 12 are properly included in the list of allowed claims but also are included in the list of allowable claims. Also, Claim 13 is properly allowed but is incorrectly rejected over Brooks and Ackerly. This rejection is ignored herein.

As to claim rejections, Claims 1, 6, 14 and 25-28 are rejected under Section 103 over Brooks in view of Ackerly, and Claims 2-3, are rejected under Section 103 over Brooks, Ackerly and Takagi. Of these rejected claims, Claims 1, 2, 6 and 14 are independent claims, and are discussed individually herein. Applicants request reconsideration of the rejected claims.

DETAILED DISCUSSION

The present invention relates to an arrangement of office furniture comprising space-dividing wall panels. Such wall panels, as disclosed, have an interior panel frame to which multi-component glass panel assemblies are mounted. The glass panel assemblies comprise a sheet of glass with an edge rail arrangement supporting the glass edge, which edge rail arrangement comprises an edge rail that has a fixing channel that receives the glass edge. The fixing channel is defined by channel walls which grip the sheet of glass without the necessity of adhesives, rubber sealing strips or other conventional structures required between a glass frame and a sheet of glass.

The glass panel assembly as claimed, which has the edge rail fitted onto the sheet of glass is unique and is not

disclosed by the prior art. While the cooperation of the edge rail with the sheet of glass is the primary focus of the claims, the discussion of the prior art rejections is more fundamentally directed to the basic combination of references. Applicants respectfully submit that the base combination of Brooks and Ackerly is inherently defective, and Applicants intend to appeal this combination which ignores fundamental deficiencies in the references.

More particularly, Applicants have comprehensively reviewed the references and respectfully disagree with the combination of Brooks and Ackerly since it disregards the specific teachings of these references. Subsequent to the filing of this Response, a further attempt will be made to initiate an Examiner Interview wherein the presence of a Supervisory Patent Examiner will also be requested. It is noted that a Request for an Examiner Interview was requested in the prior Response, but no such courtesy was afforded to the undersigned. Hence, immediately upon the filing of this Response, an attempt will be made to further discuss the deficiencies of the Brooks and Ackerly combination, and thereafter, if necessary, an appeal will be clearly warranted.

With respect to the combination of Brooks and Ackerly, this combination is believed fundamentally deficient if disclosure of these references is given their proper weight in accord with legal precedent. It is noted that the combination of Brooks and Ackerly requires that the entire wall panel 16 of Brooks be replaced with a single sheet of glass 164 from Ackerly. Applicants have discussed the deficiencies of this position at length and further detailed discussion thereof is not believed required outside of the appeals process.

Briefly, however, it is again respectfully noted that the wall panel 16 would never be replaced with a single sheet of glass. This requires completely disregarding the entire teachings of Ackerly. Ackerly only teaches that a wall panel

having an open interior frame may be provided with a cover tile-like glass panel comprising not just a sheet of glass 164, but also a peripheral frame which peripheral frame and sheet of glass are then mounted as an assembly to the underlying support frame. It is this complete assembly of a frame and a multi-component glass panel assembly which is disclosed in Ackerly and if Ackerly and Brooks are combined, this entire multi-component assembly of an open frame and multiple glass panel assemblies would be the only structure which would logically be used to replace the wall panel 16. To merely replace the wall panel 16 with the sheet of glass 164 completely removed from the remainder of this structure of Ackerly, then completely ignores the very teachings of Ackerly.

Specifically, this requires ignoring the fact that a structural window frame is provided in Ackerly to rigidly support the glass panel merely for use as a cover tile. Further, this ignores the requirement in Ackerly that the glass panel assembly is then demountably supported on an open interior frame. Hence, the rejection takes an isolated, thin piece of glass from Ackerly and then completely structurally changes this glass so as to eliminate its support frame and the other underlying wall panel frame therefrom. There is absolutely no suggestion in Ackerly of using this sheet of glass in this manner nor is there any suggestion in Brooks such that the combination is deficient without regard to the specific claim language.

Further, the rejection also requires that the specific structure and function of the raceway 21 disclosed in Brooks be completely disregarded and somehow be converted in its structure and function as an electrical raceway to a structure that rigidifies a piece of glass. This raceway 21 is never disclosed as being a support member for rigidifying a sheet of glass or defining a peripheral frame for a sheet of glass, but

is only a structurally and functionally configured for mounting to the top of a wall panel so as to carry cables therein. Here again, the only teaching for converting an electrical cabling raceway 21 into "an edge frame member" for a sheet of glass is provided by Applicants own specification, which is a classic example of hindsight reasoning.

Additionally, the structure 20 in Brooks is identified in the Office Action as a "support/connector part panel structure" which phrase is never used in association with component 20 in Brooks but instead this element 20 is identified in Brooks as a "raceway or telecommunication channel 20". Since the raceway 20 is the entire structural component, it is not understood how this structural component 20 may be considered as a separate element from the H-channel 21 of Brooks. The H-channel 21 of Brooks is the same structure as the raceway 20. In the Office Action, however, this raceway 20/H-channel 21 is identified as two separate structural components namely a "support/connector part panel structure (20)" and "an edge frame member (21)". Here again, the description of Brooks is described with a broad sweep while seemingly ignoring the actual teachings of Brooks.

More particularly, the Office Action includes the statement that "BROOKS discloses the basic claimed arrangement except for the panel being glass". This statement is false. Brooks does not disclose the claimed arrangement.

In particular, independent Claims 1, 2, 6 and 14 are rejected over Brooks and Ackerly. As to Claim 1, this claim calls for a "support structure" positionable in an office area and a glass panel assembly supported on the support structure. These are two different components. The glass panel assembly is further defined by two subcomponents namely a sheet of glass and an elongate edge rail. Claim 1 further defines that the support structure orients the glass panel assembly relative to a floor within the office area.

Brooks does not disclose this arrangement. While the raceway 20 is broadly labeled as a "support", this raceway 20 does not have a glass panel assembly supported thereon. Completely the opposite, the raceway 20 is itself supported on top of a wall panel frame 16 which wall panel 16 is supported on the floor. Specifically, the wall panel 16 of Brooks is not supported on the raceway 20 as required by Claim 1 and further, if the raceway 20 is supposedly the support, then this support cannot also be an edge frame member. Hence, Brooks in fact does not disclose this basic claimed arrangement.

Rejected independent Claim 2 also defines a support structure with the glass panel assembly supported on the support structure wherein the support structure orients the glass panel assembly. If the wall panel 16 of Brooks is supposedly the sheet of glass and the H-channel 21 is supposedly the edge frame member, this panel 16 and channel 21 are not supported on anything but the floor and hence, the raceway 20 does not orient the wall panel 16 and thus, does not satisfy the basic combination of Claim 2.

Claim 6 defines the support structure and a glass panel assembly attached to the support structure. The wall panel 16 and the channel 21 do not have a support structure on which such assembly would be supported such that Brooks fails to disclose this basic combination.

As to Claim 14, Claim 14 defines a wall panel with a load-bearing frame that defines a periphery of the wall panel. It is believed that the Office Action completely ignores this feature and does not reference what structure of Brooks would constitute a load-bearing frame that defines a periphery of a wall panel. Claim 14 further defines the glass panel assembly as being mounted to this frame by connector parts. There is a broad sweeping statement that the panel 16 of Brooks is supported by connector parts 52 but if the panel 16 is

supposedly a sheet of glass, and the edge supposed frame member 21 engages the panel 16 through the channel walls 52, it is not understood how the same channel walls 52 could also constitute connector parts 52 connecting the assembly of a panel and an edge rail to another structure, namely a load-bearing frame. Here again, the same component parts 52 are cited as supposedly defining two separate structures of the claim.

As stated above, for each of independent Claims 1, 2, 6 and 14, Brooks does not disclose the same basic claimed combination.

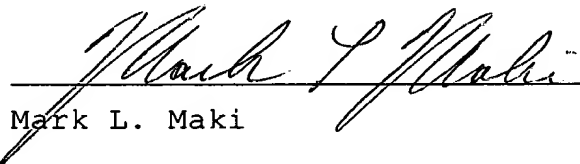
The rejection also contains the statement as to Claim 25 that "the support structure (20) maintains the panel/glass panel in a fixed orientation". It is not understood how a raceway 20 which sits on the top edge of a wall panel 16 through gravity and friction is somehow supporting the wall panel 16 in a fixed orientation. It is noted that the raceway 20 is an option for a conventional wall panel system, and it would be obvious to the skilled artisan that such wall panel 16 by definition has to be self-supporting without any regard for an optional raceway, otherwise the wall panel 16 would merely collapse. Here again, a statement is made as to the obviousness of the claim limitation without regard to the actual teachings of the prior art being cited.

In another example of the same problem, Claim 27 is rejected based upon the statement that "the support structure (20) carries the weight of the panel/glass (164)". The raceway 20 again sits on the top edge of the wall panel and does not carry any weight whatsoever of the wall panel 16 much less a pane of glass. It is not understood how the disclosure in Brooks even remotely discloses the claimed feature of Claim 27.

Applicants note with appreciation the allowance of additional claims in the last Office Action, but also submit

that all claims are in condition for allowance due to the inherent deficiencies of the rejections. Applicants have now received four separate Office Actions on the merits, three of which have continuously asserted the Brooks and Ackerly combination. Applicants believe that an appeal is appropriate and a further opinion as to the prior art rejection is required. The undersigned hopes to work out a mutually agreeable solution to obtain allowance of the claims through an Examiner interview and will immediately follow-up with the Examiner to arrange for such an interview.

Respectfully submitted,

  
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